

PATENT
Docket No.: 16869P-041700US
Client Ref. No.: 210100219US2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAY 07 2004

TC 1700

In re application of:

Mineo NOMOTO, et al.

Application No.: 10/082,430

Filed: February 22, 2002

For: Method and Apparatus for
Measuring Thickness of Thin Film and
Device Manufacturing Method Using
Same

Examiner: Unassigned

Art Unit: Unassigned

**Request to Withdraw
Holding of Abandonment**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Counsel for Assignee is in receipt of the Notice of Abandonment Under 37 CFR 1.53(f) or (g) for failure to respond to the Notice to File Missing Parts dated August 1, 2002. A review of the file indicates that a timely response was in fact filed with the U.S. Patent Office via first class mail and received by the Patent Office Mailroom on July 1, 2002. A copy of the return receipt postcard showing date of receipt by the Patent Office is attached hereto.

Since it appears that the response was received by the Patent Office, counsel for Assignee respectfully requests that the Office withdraw its holding of abandonment and reinstate the application for further prosecution. A courtesy copy of the response as filed on July 1, 2002, is also enclosed.

Because this application was abandoned as a result of an error in the U.S. Patent Office, counsel believes that no fee is required for this request. If, however, it is determined that a fee is appropriate, please charge such fee to Deposit Account 20-1430. A copy of this sheet is provided for such purpose.

Mineo NOMOTO, et al.
Application No.: 10/082,430
Page 2

PATENT

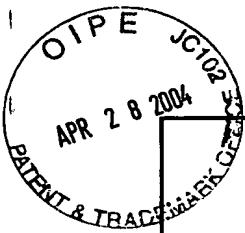
Respectfully submitted,



Robert C. Colwell
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (650) 326-2400
Fax: (415) 576-0300
RCC:mks
Enclosures: Copy postcard
Copy complete Response

60202131 v1

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/082,430
Filing Date	February 22, 2002
First Named Inventor	Nomoto, Mineo
Art Unit	
Examiner Name	

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Total Number of Pages in This Submission

Attorney Docket Number 16869P-041700US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Request to Withdraw Holding of Abandonment 2. Copy Notice of Abandonment 3. Copy of Return Postcard 4. Copy of Response 5. Return Postcard
<input type="checkbox"/> Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Robert C. Colwell	Reg. No. 27,431
Signature		
Date	April 26, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Margaret K. Stephan		
Signature		Date	April 26, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/082,430	02/22/2002	Mineo Nomoto	16869P-041700US

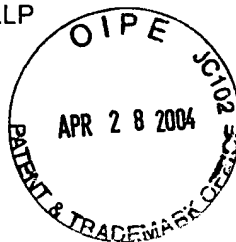
CONFIRMATION NO. 6313

ABANDONMENT/TERMINATION
LETTER

OC000000011665746

20350

TOWNSEND AND TOWNSEND AND CREW, LLP
 TWO EMBARCADERO CENTER
 EIGHTH FLOOR
 SAN FRANCISCO, CA 94111-3834



Date Mailed: 01/12/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 08/01/2002.

- No reply was received.

RECEIVED**MAY 07 2004****TC 1700**

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

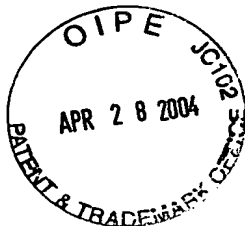
Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

M. Young
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



COPY

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TO THE U.S. PATENT AND TRADEMARK OFFICE:

Please stamp the date of receipt of the following document(s) and return this card to us.

PA 3231626 v1

Title of Document: Transmittal; 2 Fee Transmittal; 2 Petition for Extension of Time; Supplemental ADS; Declaration/Power of Attorney; copy Notice; 2 Recordation Form Cover Sheet; Assignment

Date Due: May 22, 2002

Appin. No.: 10/082,430

Date Mailed: June 24, 2002

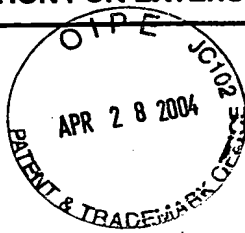
File No.: 16869P-041700

Atty/Sec.: RCC:mks



JUL 21 2002

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 16869P-041700US
In re Application of Mineo Nomoto, et al.		
Application Number 10/082,430	Filed February 22, 2002	
For METHOD AND APPARATUS FOR MEASURING THICKNESS OF THIN FILM AND DEVICE MANUFACTURING METHOD USING SAME		
Group Art Unit	Examiner	



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 TC 1700

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.


The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|---|-------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$110 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ |
- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$.
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1430.
- I have enclosed a duplicate copy of this sheet.
- I am the ☐ applicant/inventor.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71
- Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- ☒ attorney or agent of record.
- ☐ attorney or agent under 37 CFR 1.34(a).
- Registration number if acting under 37 CFR 1.34(a). _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

June 24, 2002

 Date



 Signature
 Robert C. Colwell, Reg. No. 27,431

 Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
 PA 3231621 v1



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MAY 07 2004

TC 1700

Application Data Sheet

Application Information

Application number::	<u>10/082,430</u>
Filing Date::	<u>02/22/02</u>
Application Type::	Regular
Subject Matter::	Utility
Suggested classification::	
Suggested Group Art Unit::	
CD-ROM or CD-R??::	
Number of CD disks::	
Number of copies of CDs::	
Sequence Submission::	
Computer Readable Form (CRF)?::	
Number of copies of CRF::	
Title::	Method and Apparatus for Measuring Thickness of Thin Film and Device Manufacturing Method Using Same
Attorney Docket Number::	16869P-041700US
Request for Early Publication::	No
Request for Non-Publication::	No
Suggested Drawing Figure::	
Total Drawing Sheets::	15
Small Entity?::	No
Latin name::	
Variety denomination name::	
Petition included?::	No
Petition Type::	
Licensed US Govt. Agency::	
Contract or Grant Numbers One::	
Secrecy Order in Parent Appl.::	No

Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Mineo
Middle Name::
Family Name:: Nomoto
Name Suffix::
City of Residence:: ~~Tokyo~~ Yokohama
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.
Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouchi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Takenori
Middle Name::
Family Name:: Hirose
Name Suffix::
City of Residence:: ~~Tokyo~~ Machida
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.

Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouchi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Keiya
Middle Name::
Family Name:: Saito
Name Suffix::
City of Residence:: ~~Tokyo~~ Hiratsuka
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.
Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouchi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Correspondence Information

Correspondence Customer Number:: 20350

Representative Information

Representative Designation::	Representative Number::	Representative Name::
Primary	27,431	Robert C. Colwell

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
---------------	-------------------	----------------------	----------------------

Foreign Priority Information

Country::	Application number::	Filing Date::
Japan	2001-226984	07/27/01

Assignee Information

Assignee Name::	<u>Hitachi, Ltd.</u>
Street of mailing address::	<u>6, Kanda Surugadai 4-chome, Chiyoda-ku</u>
City of mailing address::	<u>Tokyo</u>
State or Province of mailing address::	
Country of mailing address::	<u>Japan</u>
Postal or Zip Code of mailing address::	



10/082,430

PTO/SB/106(8-96)

Approved for use through 9/30/98. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

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TC 1700

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND APPARATUS FOR MEASURING THICKNESS OF THIN

FILM AND DEVICE MANUFACTURING METHOD USING SAME

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

The specification of which is attached hereto unless the following box is checked:

☐ __月__日に提出され、米国出願番号または特許協定条約国際出願番号を____とし、
(該当する場合) _____に訂正されました。

☐ was filed on
as United States Application Number or
PCT International Application Number
_____ and was amended on
_____ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されたとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づき国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示している。

Prior Foreign Application(s)

外国での先行出願

2001-226984

(Number)
(番号)

Japan

(Country)
(国名)

27/July/2001

(Day/Month/Year Filed)
(出願年月日)

Priority Not Claimed

優先権主張なし



(Number)
(番号)

(Country)
(国名)

(Day/Month/Year Filed)
(出願年月日)



私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

私は、下記の米国法典第35編120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

(Application No.)
(出願番号)

(Filing Date)
(出願日)

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じているところに基づき表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Japanese Language Declaration (日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby

appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Robert C. Colwell, Reg. No. 27,431; Babak S. Sani, Reg. No. 37,495; Chun-Pok Leung, Reg. No. 41,405; George B. F. Yee, Reg. No. 37,478 and Barnak Sani, Reg. No. 45,068

書類送付先

Send Correspondence to:

Robert C. Colwell

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, 8th Floor

San Francisco, California 94111-3834

直接電話連絡先：(氏名及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Telephone: (650)326-2400

Fax: (650)326-2422

唯一または第一発明者	Full name of sole or first inventor Mineo NOMOTO	
発明者の署名	日付	Inventor's signature Date <i>Mineo Nomoto</i> 5/20/02
住所	Residence Yokohama, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	

(第二以降の共同発明者についても同様に記載し、署名をすること)

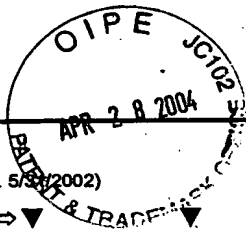
(Supply similar information and signature for second and subsequent joint inventors.)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

第二共同発明者		Full name of second joint inventor, if any Takenori HIROSE	
第二共同発明者の署名	日付	Second inventor's signature	Date
		<i>Takenori Hirose</i>	<i>5/20/02</i>
住所		Residence Machida, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	
第三共同発明者		Full name of third joint inventor, if any Keiya SAITO	
第三共同発明者の署名	日付	Third inventor's signature	Date
		<i>Keiya Saito</i>	<i>5/20/02</i>
住所		Residence Hiratsuka, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	
第四共同発明者		Full name of fourth joint inventor, if any	
第四共同発明者の署名	日付	Fourth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
私書箱		Post Office Address	
第五共同発明者		Full name of fifth joint inventor, if any	
第五共同発明者の署名	日付	Fifth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
私書箱		Post Office Address	

(第六以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for sixth and subsequent joint inventors.)



Form PTO-1595

(Rev. 03-01)

OMB No. 0651-0027 (exp. 5/31/2002)

Recordation Form Cover Sheet
PATENTS ONLYU.S. Department of Commerce
U.S. Patent and Trademark Office

Tab settings ⇨ ⇨ ⇨ ▼

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Mineo Nomoto

Additional name(s) of conveying parties attached? ☒ Yes ☐ No.

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other: _____

2. Name and address of receiving party(ies)

Hitachi, Ltd.
6, Kanda Surugadai 4-chome
Chiyoda-ku
Tokyo, JapanAdditional names and addresses attached? ☐ Yes ☒ NoExecution Date: May 20, 2002

4. Application number(s) or patent number(s).

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s): 10/082,430

B. Patent No(s): _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert C. Colwell
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6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): _____ \$40.00

- ☐ Enclosed
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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.*Robert C. Colwell
Name of Person Signing
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SignatureJune 24, 2002
Date

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1. Additional name(s) of conveying party(ies):
(Continued from Page 1)

Takenori Hirose
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2. Additional name(s) and address(es) of receiving party(ies):
(Continued from Page 1)

3. Additional application number(s) or patent number(s):
(Continued from Page 1)

A. Patent Application No.(s)

B. Patent No.(s)

ASSIGNMENT (譲 渡 証)

As a below named inventor, I hereby declare that:

IN CONSIDERATION of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration paid to me citizen of Japan by HITACHI, LTD., a corporation organized under the laws of Japan, located at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo, Japan, receipt of which is hereby acknowledged I do hereby sell and assign to said HITACHI, LTD., its successors and assigns, all my right, title and interest, in and for the United States of America, in and to

METHOD AND APPARATUS FOR MEASURING THICKNESS OF THIN FILM AND DEVICE MANUFACTURING METHOD USING SAME

invented by me (if only one is named below) or us (if plural inventors are named below) and described in the application for United States Letters Patent therefor, executed on even date herewith, and all United States Letters Patent which may be granted therefor, and all divisions, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by said HITACHI, LTD., its successors, assigns or other legal representatives, to the full end of term for which said Letters Patent may be granted, as fully

and entirely as the same would have been held and enjoyed by me or us if this assignment and sale had not been made;

And I hereby agree to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of the above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reviewed or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said assignee;

And I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said HITACHI, LTD.

Signed on the date(s) indicated aside signatures:

INVENTOR(S) (発明者フルネームサイン)	Date Signed (署名日)
1) <u>Mineo Nomoto</u>	<u>5/20/02</u>
2) <u>Takenori Hirase</u>	<u>5/20/02</u>
3) <u>Keiya Saito</u>	<u>5/20/02</u>
4) _____	_____
5) _____	_____
6) _____	_____
7) _____	_____
8) _____	_____
9) _____	_____